

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
WESTERN DIVISION

JOSE LOPEZ ALATORRE

PLAINTIFF

VS.

CIVIL ACTION NO. 5:08cv209DCBMTP

CONSTANCE REESE, et al.

DEFENDANTS

JUDGMENT

This matter having come on to be heard on this date upon the Report and Recommendation of the United States Magistrate Judge entered in this cause, and the Court, after a full review of the record, having adopted said Report and Recommendation as the finding of this Court by Order dated this day, finds that Defendants' Motion to Dismiss or, in the Alternative, for Summary Judgment [14] should be granted and that Plaintiff's claims should be dismissed without prejudice.

IT IS, THEREFORE, ORDERED AND ADJUDGED that Defendants' Motion to Dismiss or, in the Alternative, for Summary Judgment [14] is granted and Plaintiff's claims are dismissed without prejudice for Plaintiff's failure to exhaust administrative remedies.

SO ORDERED this the 3rd day of June, 2009.

s/ David Bramlette

UNITED STATES DISTRICT JUDGE